

ILLINOIS POLLUTION CONTROL BOARD
June 10, 1987

VILLAGE OF TONICA STP,)
)
 Petitioner,)
)
 v.) PCB 87-80
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
 Respondent.)

OPINION AND ORDER OF THE BOARD (by J.D. Dumelle):

This provisional variance request comes before the Board upon a June 10, 1987, Recommendation of the Illinois Environmental Protection Agency (Agency). The Agency recommends that because of an arbitrary and unreasonable hardship, the Village of Tonica (Tonica) be granted a provisional variance subject to certain conditions to allow Tonica to exceed BOD and Total Suspended Solids (TSS) effluent limitations in its NPDES permit No. IL0023639 while repairs are made to the sand filters.

Tonica owns and operates a wastewater treatment facility with a design average flow of 0.1 million gallons per day (MGD) consisting of contact stabilization type activated sludge, sand filtration and effluent chlorination. Tonica is required by its NPDES permit to meet interim effluent limitations of 15 mg/l for BOD and 20 mg/l for suspended solids on a monthly basis. Effluent is discharged to Bailey Creek, a tributary of the Vermilion River (North).

Tonica plans to begin repair work on June 22, 1987. Repairs will consist of replacing 12" of the sand with new sand and installing a 10" wide cement wall in the center of the two filters to separate them. Tonica also plans to rip rap the banks of the filters and to repair some filter drains. Tonica has stated, and the Agency concurs, that this repair work is needed in order to achieve compliance by July 1, 1988, and there is no alternative to removing the filters from operation during the repair work.

The Agency believes that an arbitrary and unreasonable hardship would occur if the provisional variance were denied. The Agency has determined that no downstream public water supplies will be adversely affected, as the nearest public water supply is approximately 65 miles downstream. As Tonica has represented that the effluent will be chlorinated when the sand filters are bypassed, the Agency believes that there will be no

adverse environmental impact. Although Tonica has not requested specific effluent limits, the Agency has determined that limitations of 30 mg/l for both BOD and TSS on a monthly average are reasonable and attainable with the filter out of service. Concluding that no federal laws preclude the granting of this provisional variance, the Agency recommends that the Board grant this provisional variance subject to the conditions incorporated into the Board's order.

Pursuant to Section 35(b) of the Illinois Environmental Protection Act, the Board hereby grants the provisional variance as recommended.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

The Village of Tonica is hereby granted a provisional variance from 35 Ill. Adm. Code 304.120 and 304.141(a) subject to the following conditions:

1. The variance shall commence on June 22, 1987, and continue for 30 days until July 21, 1987, or until the sand filters are returned to service, whichever occurs first.
2. During the period of this variance, the effluent discharged shall be limited to 30 mg/l BOD and 30 mg/l Total Suspended Solids on a monthly basis and 60 mg/l BOD and 60 mg/l TSS on a daily maximum.
3. Tonica shall sample and perform laboratory analysis as required in NPDES Permit No. IL0023639.
4. Tonica shall notify Harris Chien of the Rockford Regional Office via telephone at 815/987-7755 when repair work is begun and when the filters are returned to service. Written notification confirming the telephone notification shall be submitted within 5 days thereof. Written notification shall be submitted to:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section
2200 Churchill Road
Post Office Box 19276
Springfield, IL 62706-9276

ATTN: Jim Frost

- 5. Tonica shall operate and maintain the wastewater treatment facility so as to produce the best effluent practicable.
- 6. Within 10 days of the date of the Board's order, Tonica shall execute a Certificate of Acceptance and Agreement which shall be sent to the address indicated above.

CERTIFICATION

I, (We) the Village of Tonica, hereby accept and agree to be bound by all terms and conditions of the Order of the Pollution Control Board in PCB 87-80, June 10, 1987.

Petitioner

Authorized Agent

Title

Date

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Opinion and Order was adopted on the 10th day of June, 1987 by a vote of 6-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board